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AGENCIES, BOARDS, and COMMISSIONS in NIAGARA: THEIR RELATIONSHIP WITH THE REGIONAL COUNCIL

by
Bruce W. Krushelnicki

**Niagara Region
Review Commission**



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NIAGARA REGION REVIEW COMMISSION

BACKGROUND STUDY

AGENCIES, BOARDS AND COMMISSIONS IN NIAGARA:
THEIR RELATIONSHIP WITH THE REGIONAL COUNCIL

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This background study has been prepared for the Niagara Region Review Commission to assist it in its deliberations. All recommendations, conclusions or comments in this study are strictly those of the authors of the study and do not reflect the views of the Commission.

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Executive Summary

The purpose of this study is to examine the relationships that exist between the Regional Municipality of Niagara and five selected agencies commonly known as special purpose bodies. They are as follows:

- * Family and Children's Service of the Niagara Region (FACS)
- * Niagara Region Children's Services Committee (CSC)
- * Niagara Escarpment Commission (NEC)
- * Niagara Parks Commission (NPC)
- * Niagara Peninsula Conservation Authority (NPCA)

The terms of reference established by the Niagara Region Review Commission require that the following be provided:

a description of existing relationships between the agency and the Regional Municipality of Niagara with emphasis on accountability relationships, financial ties and coordinating mechanisms, and

an analysis of all the potential and actual points of conflict between the various actors, and an assessment about whether these points of conflict are unavoidable, beneficial, or detrimental, and

...recommendations about changes which could be made to improve any aspect of the relationship between the Regional Municipality and the agency."

The Definition of Special Purpose Bodies

The agencies, boards and commissions under consideration can best be described by the following characteristics:

- all are corporate creatures of the Province of Ontario and their powers are set out by the province in the form of an enabling statute or by a contract.
- their mandate is narrow, providing a limited authority to provide services or to undertake some public function.
- special purpose bodies are governed by a 'board' or 'commission' consisting of a combination of local politicians and appointed lay citizens.

- they are staffed by paid professionals and operate programs that demand resources that are usually, although not always, provided by the public.

In reviewing the general relationships that exist between Regional Council and local special purpose bodies, the first question that arises: can the role of these agencies be integrated into the regional structure? This would be consistent with the initial policy of local government rationalization and reorganization. The debate that follows from this question raises the following general points.

The Case FOR Special Purpose Bodies

- Uniqueness: this suggests that there exists some special problem or need which is beyond the ordinary capability of local governments.
- Independence or the "Arm's Length" argument is based on the need for independence from the political process because of sensitivity of issues or because confidentiality or discretion is called for.
- Parochialism: some special purpose bodies are designed to protect interests that cross municipal boundaries or that go beyond the day-to-day interests of local towns and cities.
- Citizen participation: special purpose bodies allow citizens, experts, community leaders, business people, professionals and consumers, to contribute to public affairs without participating in the formal electoral process.

The Case AGAINST Special Purpose Bodies

- Accountability: direct accountability is not present in special purpose bodies. Citizen boards are not sensitive to the demands by taxpayers to control spending because their vision is narrowed by the commitment to a special purpose.
- Visibility is necessary in order for the public to be able to hold responsible the people who are making decisions on their behalf. Special purpose bodies tend to conduct their business without the same openness as general government.

- Comprehensibility refers to the ability for lay persons to understand the role of local special purpose bodies and how they relate to local government. If there are many special purpose bodies, this tends to undermine ordinary comprehension of government.

- Coordination with other local priorities: special purpose bodies make co-ordination with other services and functions of local and regional government difficult. Regional budget setting is affected since special purpose bodies can often make mandatory demands on the budget that undermine the power of locally elected officials to set priorities.

The Region and Local Special Purpose Bodies

Because there are compelling arguments on both sides, it is not recommended that any problems in the relationships be solved simply by adopting a comprehensive program of integrating the small number of remaining special purpose bodies into the regional structure.

Instead, each of the agencies is examined individually in order to identify conflicts and identify changes where these are necessary.

In doing so, it was found that conflicts exist with wide variation. All the agencies under consideration have grievances against the region and all are the subject of regional criticism. But some considerable proportion of the conflicts are simply ordinary disagreements arising from legitimate differences of perspective and interest. If it is nothing else, the public interest is something open to a wide ranging of interpretation.

For agencies such as the Niagara Parks Commission and the Niagara Escarpment Commission, no significant conflicts that warrant major structural change were found.

In the cases of the remaining agencies, problems have been identified that do require attention. Two of these - Family and Children's Services (FACS) and the Niagara Peninsula Conservation Authority (NPCA) - have important financial ties and board connections that give them special status at Regional Council and that can understandably lead to conflict.

FACS derives about 20 percent of its \$8.6 million budget from the Region and four of its 22 directors are Regional Councillors. The budget levy is a mandatory payment to FACS. This is a point of contention since the approval of the FACS budget is really a provincial authority. The regional finance committee reviews FACS budget submission but feels powerless to insist on changes. Regional Council has abandoned its practice of reviewing FACS programs and services through its Social Services Committee.

The participation by Regional Councillors on the FACS Board is awkward and frustrating. They lack the numbers to be an influential force on the Board and have difficulty meeting the expectations of fellow board members who mistakenly suppose that the councillors are there as FACS' defenders before Council.

Finally the FACS Board and senior staff do not see their line of accountability running to the region, but rather maintain a relationship of responsibility with the province through the Hamilton office of the Ontario Ministry of Community and Social Services. The finance committee of Regional Council to which FACS makes its annual budget proposal is perceived as unsympathetic to FACS' programs and services and concerned almost exclusively with expenditures.

The following summarizes the proposals which are made in an attempt to deal with some of the conflicts arising between Regional Council and FACS:

It is recommended that the province consider changing the financial relationship so that the region would only fund the core programs of the Family and Children's Services of Niagara and that this should be more in accordance with the region's general ability to pay. Regional funding for non-core programs should then be phased out and replaced by 100 per cent provincial funding.

It is recommended that the Province replace the requirement that the Region appoint four regional councillors with a requirement that four representatives be chosen who may be either councillors or unelected citizens of the Region.

It is recommended that the Region reinstate the practice of reviewing the activities of agencies with which it has financial ties and common interests within the appropriate committees. In the case of FACS this would be the Social Service Committee. A practice should be inaugurated of making more frequent contact with FACS, especially during the budget formulation process. Opportunities should be made to review progress and to discuss new priorities and budgetary proposals.

It is recommended that Regional Council and the FACS Board begin developing a common set of measures for assessing the effectiveness of existing programs and services and a set of objectives for developing new programs.

The Niagara Peninsula Conservation Authority derives a sizable fraction of its \$3 million budget from Niagara Region and 15 of its 22 members are nominally chosen by Regional Council. The municipal contribution is, as in the FACS case, a mandatory levy and Regional Council feels powerless to control NPCA spending since the budget approval is essentially a provincial power exercised by the Ontario Ministry of Natural Resources. The Authority, like FACS, does not feel that the Region is sympathetic to its needs and that specifically, the finance committee concerns itself with the amount of the levy, not its effective or efficient use.

Problems of accountability exist between the NPCA and Regional Council. Although it has the power to appoint the vast majority of NPCA members, the practice of Regional Council has been to accept the recommendations of the local municipal councils (transmitted through the Mayor who is a member of Regional Council) virtually without exception. However, it is the Region who pays the largest share of the municipal levy. It therefore must be responsible for NPCA spending but does not exercise its power to influence the process by choosing NPCA budget-makers.

The following proposals are made for the NPCA:

It is recommended that the Region provide a more sympathetic port-of-call to officials at the NPCA - such as a subcommittee of public works or planning - which would review more than the expenditures of the Authority and which would concern itself instead with the programs and accomplishments of the agency.

It is recommended that a reporting procedure involving more frequent and more involved interaction would be helpful, especially in regard to budget approval process.

It is recommended that Regional Council take its appointment responsibility much more seriously. As long as the NPCA appointments amount to the selection of budget-makers who will have a effect on regional expenditures, the choice of who the budget-makers are cannot be forfeited to the local municipalities.

In addition, the conservation authority is one agency whose relationship with the Region could benefit from a greater integration with the regional structure to the point where making it a department of the Region should be considered. This is currently not consistent with Ministry of Natural Resource policy throughout the province to remain faithful to watershed boundaries for conservation and watershed management. However, the boundaries of the NPCA watershed and those of the Regional Municipality of Niagara are very nearly the same (about 93 percent is in Niagara). Should the MNR policy change, the following is proposed:

It is recommended that the province (MNR) consider the possibility of transferring conservation authority powers to Regional Council in Niagara on an experimental basis. Regional Council would then be called upon to create a Resource Conservation Department which would carry out the conservation authority mandate.

In the case of the Children's Services Committee, the relationship with Regional Council and some of the departments of the Region has deteriorated to the point where it is doubtful that it can be salvaged. The Committee has begun the process of making changes that would continue to serve its organizational needs and satisfy most of the critics. And so, the following recommendation is made:

It is recommended that every effort be made for a successful transition of Children's Services Committee from its current position in the Region to that of an independently incorporated agency operated by a board consisting of municipal (regional) representatives, representatives of service providing agencies, and representatives of consumer and community groups.

Chapter One

Introduction

One of the dominant themes of the reform of local government that eventually led to the formation of regions in Ontario was the need to abolish, or at least seriously reduce, the number of special purpose bodies that had sprung up at the local level. Those with long memories will recall the water commissions, suburban road commissions, planning boards and so on that collectively formed the complex of unelected agencies, boards and commissions that were empowered to decide a wide variety of local matters.

Proponents of regional government argued with some success that these agencies had been established incrementally over time and had become a fragmented and often bewildering array of unaccountable decision-making bodies. They argued that regional and metropolitan government reorganization would provide an opportunity to integrate many special purpose functions under a single elected body, making them more accountable to the public. This is why many special purpose agencies were eliminated and made part of the regular line departmental functions of the region.

There has always remained, however, a small number of exceptions to this policy. A few agencies were established well before the Region and have, for one reason or another, retained their independent or quasi-independent status, while others have been created to undertake new tasks after the Region came on the scene.

In Niagara, examples of the former include the police commission,* the school boards, the Niagara Parks Commission and the Niagara Peninsula Conservation

* The Niagara Board of Police Commissioners was the result of a major reorganization of the local forces, but the decision-making model of the 'arm's length' appointed police commission was retained. See the study in the Niagara Region Review Commission series by Dr. P.C. Stenning entitled The Niagara Region Board of Commissioners of Police: Its Role and Accountability. September, 1988.

Authority. Recently created special purpose bodies - those created after the Region in 1970 - include the Niagara Escarpment Commission and the Niagara Children's Services Committee. A third category consists of agencies that retained their independence for a time but were later integrated into the Region. A prominent example of this is the Niagara Health Unit, now a department of the Region.

The purpose of this study is to examine the relationships between the Regional Municipality of Niagara and a selected number of the agencies, boards and commissions commonly known as special purpose or single purpose bodies. In the process of reviewing the structure of the Region, the Niagara Region Review Commission has identified these relationships collectively as an area requiring further investigation and research. To this end it has commissioned this study which will examine five special purpose bodies, namely:

- *Family and Children's Service of the Niagara Region (FACS)
- *Niagara Region Children's Services Committee (CSC)*
- *Niagara Escarpment Commission (NEC)
- *Niagara Parks Commission (NPC)
- *Niagara Peninsula Conservation Authority (NPCA)

The terms of reference established by the Commission require that the following be provided:

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an analysis of all the potential and actual points of conflict between the various actors, and an assessment about whether these points of conflict are unavoidable, beneficial, or detrimental, and

* Included in the terms of reference was the Niagara Children's Advisory Group. This is the same as the Children's Services Committee. The connection should be made clear in the detailed description in Chapter Three. See page 29 below.

...recommendations about changes which could be made to improve any aspect of the relationship between the Regional Municipality and the agency."

This is a report of the investigation that was undertaken in light of these terms. The report is organized into two main parts which follow this introduction. The first (Chapter Two) is a general discussion of special purpose bodies providing some of the arguments for and against their existence along side Regional government. In effect, this section is a review of the hypothesis or the suggestion that everything that is currently done by local agencies, boards and commissions can be done better (or at least as well) under the Regional umbrella. Putting the question in these terms, it is hoped, will have the effect of sharpening the debate.

Chapter Three is a detailed review of the individual relationships that exist between each of the agencies listed and the Region. This part will describe statutory or contractual relations, financial ties and the kinds of interactions that are built up over years of working together over important and often politically controversial public business. It will review the ways in which accountability is being maintained among the agency, the Region, the taxpayer and other persons or groups that hold some stake in the work of the agency. It will also document and assess communication and reporting processes, comparing them where this is possible to similar situations elsewhere in the province. Finally, this section will review the problems and conflicts that have been identified in the course of the study.

Before proceeding, a few final words of introduction are necessary. In addition to promising what this report will be, it is imperative to emphasise what it is not. It is not a review of the policies, the effectiveness or any of the substantive achievements of the agencies or the Region, except in as much as these affect, or are affected by, some breakdown in the relationship between the Region and the special purpose bodies. Neither is this a review of the budgets, the priorities, or for that matter the mandates of the Region and the agencies. And finally, no assessment is implied or intended of the staff, the elected officials, board members, volunteers and others who make up the many sectors having an interest in the conduct of the

public business under study.

As much as possible, the author has tried earnestly to restrict the investigation to matters of structure and organization of government. Any views outside of these strict terms of reference are offered only if they inform the debate on the structure of the Region and its collateral agencies. In fact, the author ventures to report that he has been impressed by the level of concern, the depth of commitment and the high degree of informed debate that was often presented.

Finally, the risk of this study, as with any study that places relationships under an intense light, is that it will, simply by illuminating differences, aggravate them. This would be unfortunate, since many of the tensions that exist are those that are necessary in any public democratic decision-making process; they result from honest people honestly disagreeing about the way important public business should be conducted. It is hoped that rather than exaggerating differences, this discussion will be seen as a constructive and sympathetic review of existing relationships to ensure that they do not stand in the way of effective, efficient and open government.

Chapter Two

A General Review of Special Purpose Bodies

The Definition of Special Purpose Bodies

The agencies, boards and commissions under consideration can best be described under the general category of special purpose bodies. Like municipalities, all are corporate creatures of the Province of Ontario. The province may delegate to them any authority that the province itself holds to perform specific public functions. The corollary of this, of course, is that only the Province can dispense with or alter special purpose bodies and their powers. The relationships that exist between agencies and the regional government are therefore obligatory, or at the very least contrived, and need not be voluntary or, for that matter, amicable.

The mandate of special purpose bodies is narrow in comparison with municipal governments, providing a limited range of services or having a very restricted ability to undertake some public function. In fact they are occasionally referred to as 'single' purpose bodies, although this is usually considered too narrow a term.

The powers needed to do their jobs are set out by the Province in the form of an enabling statute or, in the specific case of the Children's Services Committee, by a contract. Despite the attempt at specialization and clarity of mandate, agency roles do evolve over time through incremental additions and changing circumstances to the point where there is diversity of interpretation of, and ambiguity about, their mandates.

All special purpose bodies are governed by some sort of 'board' or 'commission' consisting of a combination of local politicians and appointed lay citizens. Here one encounters a wide range of models in respect to such matters as size, method of appointment, remuneration and so forth. It is probably best to leave the details of this to later sections. The important point is that politicians are not the dominant players on the boards. Elected officials play some role in the governing body of the agency as a minority of the membership, or as members of the council or cabinet who may appoint some proportion of the membership, or as 'stake-

holders' or 'overseers' of agency work. They cannot, however, determine the agency's agenda.* There are a number of reasons for this, but the most commonly cited is the need to maintain a degree of independence - an "arm's length" relationship - from the political system and therefore from the politicians.

All the agencies being considered are staffed by paid professionals and operate programs that demand resources. Here, too, there is considerable variability, both in the amount of money needed to do their job and in the way those resources are acquired. With only one exception (the Niagara Parks Commission) the agencies under study derive the vast majority, if not effectively all, of their funds from the public purse, and in three of the cases (FACS, CSC and NPCA) the Region is a large, but not always cheerful, contributor to their budgets. Not surprisingly, this is the sore point that has led to many of the concerns about the relationship between the agencies and the Region.

Finally, there is invariably a common interest in, though not always a common perspective of, public issues at the local level and a sharing of turf in the quite literal sense of overlapping geographical jurisdiction between special purpose bodies and local governments. This can obviously result in a certain degree of tension which in turn leads some to question whether maintaining the special status of these bodies is really worth the benefits it brings.

Responsible opinion on the general merits of special purpose bodies takes many forms. At one end of the scale is the view that the role of special purpose bodies as currently constituted is sacred. Reforms amount to interference with processes that have taken years to develop and are potentially dangerous to the level of service and perhaps even to the clients or the principles that the agency was designed to serve.

At the other end of the scale is the view that anything currently done by special purpose bodies can be done better or at least as well by the Region. The difference would be the more direct line of accountability that comes with scrutiny of agency operations by a publicly elected council and better co-ordination of all

* One arguable exception to this principle is the Children's Services Committee. Although elected officials are not a majority, they have traditionally played a very active role on committee.

related programs.

Between these two positions is an area in which there are many more specific and moderate positions. Before examining cases, it is useful to review the general arguments for and against special purpose bodies.

The Case FOR Special Purpose Bodies and Some of the Responses

"Uniqueness": The Special Case for Special Purpose Bodies

The most frequently offered reason for the establishment and justification of special purpose bodies is that there exists some unique or special need which is beyond the ordinary, run-of-the-mill mandate or capability of most municipal governments. This argument was especially compelling several decades ago when local government provided only very basic services, did little regulation and lacked the technical expertise or special knowledge needed to handle any kind of problem seen as out of the ordinary.

Even today many rural counties and townships, and even some of the small towns and cities lack the staff, the technical expertise and the other resources to operate sophisticated services or facilities required for special purposes. Recognizing the limitations of municipalities and preferring not to become directly involved in an essentially local function, the province created independent agencies and gave them certain authority and funding.

Of the agencies under consideration, two come to mind that fit this argument, although others lay claim to it as well. The Niagara Parks Commission was established over 100 years ago for the very special purpose of developing and operating a parks system adjacent to the falls at Niagara. The Falls are an obvious example of a provincially and perhaps even nationally unique resource that was threatened, in a sense, by the tourism that it spawned. The pressures of frantic development were more than the municipality could be expected to cope with in 1885 and the kind of bold solutions needed were beyond the powers and the resources of the city. The result was the Parks Commission.

A more modern example of this argument is the

Niagara Escarpment Commission which was established by the Provincial government in 1973. Its purpose is to plan for and protect the unique natural environment of the Niagara Escarpment from the Niagara River to the tip of the Bruce Peninsula. Like the Falls, the Escarpment is a unique landform and holds a special place in the minds of many Ontarians. It has also attracted development pressures because of its location within, or very near to, the industrial heartland of the Province. In addition to the unique character of its environment and the fact that it constitutes a remnant of Ontario's natural heritage so near to the urban complex, there are very special problems with its protection, most of them associated with the fact that it is a linear feature and passes through several municipal jurisdictions, both rural and urban.

The response that critics of special purpose bodies make to the "uniqueness" argument, as it can be called, is that municipalities have evolved over the years into a more sophisticated level of government capable of taking on some of the functions which were previously believed to be beyond their scope. The pooling of local municipalities' resources under the regional umbrella has resulted in a better funded, more talented and sophisticated level of government capable of doing the kinds of special jobs that were previously done by special purpose bodies.

Independence or "Arm's Length" Relationship

The second major argument in defense of the special purpose body is the need on the part of the agency for some degree of independence from the political process, often referred to as an "arm's length" relationship. Some observers have claimed that the idea of independence from politics arises from the reputation for corruption and sheer stupidity that some of the fledgling local governments had developed in the early years of the 20th century.

Modern observers are perhaps more charitable. The independence argument is now more commonly used in reference to the fact that special purpose bodies often deal with highly technical or sensitive issues where the debate is not well served by political grandstanding and unnecessary publicity. It is also suggested that some of the work of the agency requires extra consideration for confidentiality and discretion in the area of special cases. It is even argued that proximity to the political process could increase the probability of inappropriate political interference in the day-to-day operations and

casework of the agency. Police commissions and child welfare agencies make effective use of this argument.

Another aspect of the independence argument is the desire to be able to set agency goals and spending priorities independently of the political process. There are concerns, especially because of the special pressures under which local politicians labour that the municipal political process encourages short term financial savings at the expense of the long term; adherence to the latest political fad rather than continuity and fidelity to established policies and goals; and a preference for immediate, concrete payoffs rather than less glamorous, but more permanent achievements.

The responses to these arguments fall into two camps. The first is that municipal politics has matured to the point where it can now deal with sensitive and confidential matters without undue interference. In fact, elected officials sit on many of the boards where these matters are handled and have shown no apparent desire to get involved inappropriately with individual cases. If they do, there are administrative remedies which can be effective in protecting clients and staff.

The second point in response to the arm's length view is one that goes to the core question of accountability. Those concerned with special purpose bodies, especially those holding elected positions, view the staff and non-elected members of the boards as removed from the people paying the bills - the taxpayers. They ask: who is better equipped to establish agency priorities in the light of overall government expenditures than the people who must place their names before the voters from time to time? This topic will enjoy more discussion below when we consider fully the case against special purpose bodies.

Parochialism

Arguments made at the time of the establishment of some of the agencies under consideration are clearly based on the view that municipalities are, by definition, preoccupied by matters within their borders and occasionally appear to give preference to the welfare of their citizens at the expense of other areas or at the expense of broader principles. Given the structure of municipal government, this should not come as a surprise. The intermunicipal competition for development to increase the local assessment base, and for industrial jobs and other economic growth are examples of this. Some special purpose bodies have therefore been

given the job of protecting interests that cross municipal boundaries or that go beyond the day-to-day interests of local towns and cities.

Two examples from the agencies under review that help to illuminate this point are the Niagara Escarpment Commission and the Niagara Peninsula Conservation Authority. Conservation authorities throughout the Province were explicitly established to manage watersheds, that is, areas that are defined hydrologically without regard for municipal boundaries. The principle of the authority is that its main interest will be with the well being of the entire watershed, an area almost invariably larger than its constituent municipalities, and it will therefore protect interests that go beyond the parochial concerns within any municipality.

Similarly, the Niagara Escarpment Commission was formed under the unabashed assumption that individual municipalities could not be called upon to protect their small segment of the 725 km-long escarpment. The payoff for municipalities lies in development not protection. So the Commission was empowered to prepare the plan and to implement it through, among other measures, the process of development control.

Critics of this viewpoint argue 1) that parochialism is exaggerated, 2) that regional reorganization has had the effect of reducing parochialism and forcing local politicians to take into consideration the broader picture, and 3) that inter-regional co-operation could be better developed to take on the implementation of watershed policies and the escarpment plan, and perhaps even the planning process itself.

Citizen Participation and Involvement

The final major argument made by special purpose bodies is that they afford increased opportunities for the involvement of citizens, experts, community leaders, business people, professionals and consumers, to contribute to public affairs without participating in the formal electoral process.

Politics is a business with special requirements. It can unfairly restrict participation to a certain type of person. It can discourage participation by others who may be eager and able to serve, but who may not have a taste for, or be nearly so enthusiastic about, the selection process and all that goes with it.

Special purpose bodies claim a high degree of

success in this respect. One agency seems to select from the leadership of the business community and the professional societies; another chooses from among community organizations and groups representing consumers of the agency's services; still others enjoy a broad cross-section of vocation and interest. The array of board members constitutes an eclectic representation of many of Niagara's communities and has the effect of impressing the impartial observer with a sense of 'grass roots' involvement.

The response to this is that citizens can be included to a greater extent in the structure of government without having to resort to a completely independent special purpose body. An example of this is the regional Ecological and Environmental Advisory Committee (EEAC). This committee combines the efforts of experts, academics, interest groups, and elected officials to provide Regional Council with specialized advice on environmental issues. It deliberates independently on matters referred to it by Regional Council and reports back to Council through the public works and planning committees. Another model is the Industrial Development Corporation which is an incorporated body consisting of a combination of Regional Councillors and business people who advise Regional Council on regional industrial development.

Another response to this point is to argue that, as laudable as it may be to involve lay people in public decision-making, appointed citizens cannot be held accountable for the decisions they make to the same extent as elected officials. This argument forms the basis of the case against special purpose bodies and leads us to a consideration of those points in opposition.

The Case AGAINST Special Purpose Bodies And Some Of The Responses

Accountability

Accountability is often the main argument cited by those who oppose special purpose bodies. The idea of accountability is probably best summarized by the American aphorism, "the buck stops here." Accountability implies a sense of responsibility for an action or a de-

cision. The main responsibility is to people who are affected by the decision, including those who must pay for it.

Accountability consists of four main elements:

1) a clear and realistic mandate or mission, setting out the general expectations for the agency;

2) the power to determine its own priorities and make independent use of the resources needed to achieve its mandate;

3) a system for disclosing information on the performance of the agency to those to whom the agency is responsible; and

4) a set of rewards or sanctions that can be applied if something in the previous three elements is amiss.*

In representative democracies, the usual model is that elected officials make the decisions and take the responsibility for them. They are accountable to the public who receive the services or who are subject to regulations. Should the decisions prove wrong, the public, at least in theory, can remove the elected official from office at the next election. This is both a reprisal and a means of getting other, presumably better, decision-makers.

The critics argue that this kind of direct accountability is simply not present in special purpose bodies. The practice of appointing members to boards and commissions - even when the power to appoint is in the hands of the elected council - results in a board which is a step away from the public. Dealing with this, as some agencies do, by making a few of the seats on the board open to elected officials does not solve the problem and, in some ways, can make it worse.

For the most part, the problem of accountability seems to be most acute in two areas. The first is the budget. Citizen boards, it is argued, are simply not sufficiently sensitive to the demands by taxpayers to control spending. Because their vision is narrowed by the commitment to a special purpose, they lack the

* Ontario Ministry of Community and Social Services. Managing Ontario's Social Services: Agency Relations and Accountability, A Discussion Paper. Toronto: April, 1988.

larger perspective that municipal politicians have. They insist on more funding for their area without realizing that there are many other demands on the purse. And because they do not have to collect the tax dollars (or at least be publicly responsible for their collection), boards tend to be perceived by elected officials as more generous and less careful with public funds.

The second area where the lack of accountability is sharply apparent is at times of controversy. The main recourse for citizens who are unhappy with a controversial decision or action is to present their views to the elected official with the understanding that she or he may lose their support if some change is not made. When controversy arises at special purpose bodies, however, board members need not act with the same responsiveness because their positions are not on the line in the same way that they are for elected officials. Elected officials whose responsibility is to oversee the activities of the body often feel powerless to intervene effectively.

The counterpoint to this takes many forms. The first is that it is a simplistic view of accountability. The kinds of things that special purpose boards are involved in do not fit well into the local representative model. Boards often share accountability between the provincial government and local municipalities, each of which may make some contribution to the agency's budget. An example of this is Family and Children's Services which derives roughly one fifth of its budget from the Region and the rest from the province.

The same can also be said of agencies whose budget is derived from more than one regional municipality. The example here is the Niagara Peninsula Conservation Authority whose jurisdiction includes small parts of Hamilton-Wentworth and Haldimand-Norfolk Regions. In both these cases the agencies argue that the board model allows for mixed accountability among levels of government and among different kinds of interests.

A further compelling argument on this point is that representative democracy is not the only way to achieve accountability. Despite protests from elected officials that volunteer board members are not accountable, those who do the job claim that they are very accountable to the public, but perhaps in different ways. They too must have regard for the quality of their judgements. As one board member pointed out, they have reputations to protect, they live in neighbourhoods, and have kids who go to school with the kids of other

citizens. Although they do not live in the fish bowl of municipal politics, their names often appear in the newspaper. Just how great an influence, asked one board member, is the threat of withdrawing my vote to elected officials; is it worse than being publicly embarrassed by a bad decision?

Visibility

Related to accountability is the idea of the visibility of the activities of the boards and commissions and the degree to which the system of public decision-making is comprehensible to the intelligent layperson. Visibility is a necessary condition of accountability since the public must be able to review what is going on in order for it to judge and hold responsible the people who are making decisions in their behalf.

Municipal politicians argue that they are under scrutiny (in varying degrees) by local media and constituents and are thus in a much better position to have their actions judged. Indeed, there is constant pressure to maintain this openness except where discretion is essential. By contrast, it is argued that special purpose bodies are able to conduct their business without the same openness and therefore without the same degree of accountability. Whether this is a function of decisions by the media or of less openness on the part of the board is irrelevant; the end result is less visibility.

The main response to this is that most of the special purpose bodies conduct their business as openly as possible. Each claims to apply the basic policy that meetings are open, except for discussions of personnel, property and legal matters, and, in exceptional circumstances, the confidential details of a particular case.

On the question of media coverage some observe that only a tiny proportion of regional or city council business is actually reported. There is no reason to expect that coverage would suddenly change to include topics that are now the domain of special purpose bodies. An important issue will be covered by the press if it is newsworthy no matter what organization happens to be dealing with the issue.

Comprehensibility

The same kind of argument applies to the question of comprehensibility. The basic ability for lay persons

to understand the role of local special purpose bodies is suspect when there are so many, when their mandates are unclear and not widely understood, and when there is much overlap with existing government departments and agencies.

Furthermore, complexity in the provision of services and in regulation incites distrust. Unclear lines of responsibility and irregular reporting mechanisms are a further impediment to accountability by simply making it difficult even for informed citizens to know at whom one should focus objection to a public policy or regulation.

To the charge of comprehensibility the response is; how much better is regional government understood? The number of special purpose bodies is much smaller than it has been in the past. Those that remain are there for a reason and the groups that have frequent relations or special interest in the work of these bodies are well versed in their operation. The system is as comprehensible as government is in general.

Co-ordination With Other Local Priorities

A compelling criticism of special purpose bodies is that they make co-ordination with other services and functions of local and regional government difficult. Agency activities that have been independently formulated can run counter to regional and local plans and policies that have gone through lengthy processes of public participation and decision-making.

Even more compelling is the application of this argument to regional budget setting. At least two of the agencies under consideration - the NPCA and FACS - have the authority to assign a levy against the Region for a significant part of their budget. The Region is required to pay these levies ultimately, and does so. It then adds the expense to the tax bill for which it is responsible to the public.

The fact that these are mandatory payments and are only negotiable or open to appeal to a very limited extent reduces the overall power of the elected council to assign spending priorities among various competing demands on the public treasury. In a sense, we expect the elected council to decide in any given year what the public needs more, another caseworker for kids or another person to plant trees along streambanks. The job of elected officials is to assess the public's need on the basis of the best professional information it can

muster and to make these kinds of decisions. Special purpose bodies operating independently and with the ability to make mandatory demands on the budget undermine this process.

Politicians further add that combining mandatory payments by special purpose bodies with payments made in compliance with other provincially mandated programs results in very little 'budget room', that is very little discretion about spending priorities.

Finally, critics call the bewildering array of special purpose bodies an impediment to the efficient delivery of services. For instance, they prevent the establishment of one stop service centres or the greater usage of shared facilities.

The response to this argument is that no single body should hold a monopoly on the responsibility for formulating budget and policy priorities. The province, local governments, interest groups, client groups and many others can and should participate more effectively through a more pluralistic system based on honest and open competition for limited public funds.

Summary of the Arguments for and Against Special Purpose Bodies

It is fair to say that in this debate neither side has scored a knockout. Like many important public issues, especially those that deal with the fundamental structure and organization of government, it will not be a clear and decisive finish, but rather a judgement based on the balancing of arguments.

It cannot be concluded or therefore recommended that a comprehensive program of integrating the small number of remaining special purpose bodies be adopted, however tempting this may seem from a purely administrative point of view.

With no clear winner to be found from general arguments, the next step is to turn to each of the agencies, examine the relationship it has with Regional Council and, from this, determine whether changes are called for. If changes do follow from this analysis, they will be based on the specific circumstances and conflicts that arise in the course of the Region's interaction with the agency.

Chapter Three

The Region and Local Special Purpose Bodies: A Detailed Review of Their Relations

Family and Children's Services of Niagara (FACS)

Background of FACS Niagara

Family and Children's Service of the Niagara Region (FACS) is the name of the agency which is commonly referred to in other parts of the Province as the Children's Aid Society (CAS). The origins of Children's Aid Societies can be traced back to the late 19th century when volunteer societies were established in many parts of Ontario to provide protection in the form of accomodation and care for children at risk. The early or-ganizers consisted of church groups, women's organi-zations and other community-based groups.

As volunteer societies they remained essentially private until 1949 when provincial funding of child care services effectively began. The Children's Aid Societies were given statutory authority for child protection at the local level (at that time these were usually counties and cities) and received provincial funding in the amount of 25 cents for every dollar raised locally through private charities. Municipalities in the province used Children's Aid Societies as the primary providers of facilities and services for children who had been made wards of the municipality. The municipalities, in turn received a 25 per cent subsidy from the province for money spent supporting the CAS.

In the 1960s there was a rationalization of Children's Aid Societies both geographically and in terms of their funding. The provincial government, through the Child Welfare Act, gave virtually exclusive authority for child protection and some other locally provided child care services to the CAS and increased its funding to 60 percent of all approved expenditures. Local municipalities were required to pick up the remaining 40 per cent. In return municipalities were entitled to appoint members to the CAS board of directors in rough proportion to their financial contribution. This has become known as the "pay for say" principle.

Currently there are sixty-one Children's Aid Societies, seven of which are specifically for Catholic, Jewish and Native families. The Children's Aid Society of which FACS Niagara is the local example is now the statutory agency in the Niagara Region designated by the Provincial Minister of Community and Social Services to carry out a number of functions assigned by the the Child and Family Services Act of 1984. In addition to the programs mandated by the Act, FACS is involved in a number of additional functions in the interest of promoting child and family welfare and preventing child abuse, neglect and violence. As a society-operated private corporation, it retains its private volunteer roots and its quasi-independent status, but for all intents and purposes, it is provincially created and empowered.

The FACS Budget

Niagara FACS will spend nearly \$8.6 million in the 1988 budget year. All of its revenue for approved programs is derived on the basis of an 80 percent/ 20 percent split between the province and the region respectively. Approved programs include those which are mandated by the province through the Child and Family Services Act as well as certain selected optional programs which have been added over time. For 1988 the application of the formula means that \$6.9 million will be derived from the province and \$1.7 million from the Regional Municipality of Niagara. The regional contribution amounts to about 1.1 per cent of the Region's gross expenditures or three per cent of the net tax levy.

Some of FACS' programs are funded outside this 80/20 budget arrangement through purchase of service arrangements, non-government grants and subsidies from provincial agencies outside of the ordinary child welfare programmes. For instance, FACS has traditionally provided a family counselling program for Niagara. The cost of the program is recovered through purchase-for-service arrangements with Region and other agencies that refer clients to the service and by an annual grant from the United Way.

FACS has also made several initiatives in publicly provided day nursery services, especially in under-served and disadvantaged areas. Funding for this program comes from a combination of FACS money and purchase-of-service arrangements with the Region's Social Services Department.

A final example is the FACS mobile toy lending library. This is a service designed to complement the promotion and prevention programs of the agency. It is funded entirely by the province, largely because of its experimental nature.

The total of all agency funds derived from outside the provincial/regional funding formula for these and other similar non-core services amounts to \$611,795.

The FACS Board

The Board of FACS consists of 22 directors, eighteen of which are unpaid volunteer directors chosen at an annual general meeting of the entire Children's Aid Society from among the Society's membership. The Society consists of about 200 members, but it is fair to say that the Board effectively determines its own membership.

The remaining four members of the Board are appointed by Regional Council from among its own ranks at the beginning of each three-year municipal council term. Ordinarily Regional Councillors appointed to the Board are expected to remain there for the full three years.

It is the practice of the FACS Board to make the Regional Councillors members of the Executive Committee of the Board. In addition to the Regional Councillors, the Executive Committee consists of the President, Vice-President, Past President, Treasurer and Secretary chosen by the membership at its annual general meeting. It has not been the practice in Niagara FACS for Regional Councillors to be executive officers. There are examples in other regions of the Province where municipal appointees have held a leadership position such as the presidency of the CAS, but the time commitment for this post makes the practice very rare. Regional Councillors are encouraged to participate in the activities of the other seven committees, and at least one of them sits on the important finance committee.

FACS and The Region

There are a number of areas of conflict that arise between FACS and the Regional Municipality of Niagara. To be fair, similar conflicts exist throughout the Province with sister agencies and other regional and non-regional municipalities. As a result, initiatives have been undertaken which are designed to examine

alternative arrangements for social policy, social planning and the accountability of social services in Ontario. The Province, the Association of Municipalities of Ontario (AMO) and other organizations and sectors are involved in the search for solutions.*

The Budget Process

The conflicts seem to arise as a result of some very basic differences over the budget formulation and approval process, the accountability or lack of it over budget matters, and the frustrations that are thus engendered on both "sides" of the relationship.

Frustration is an important word. It was used frequently and independently by several actors on all sides of the FACS-Region issue. The budget is the most usually cited problem. The 20 percent of the FACS budget for which the Region is responsible is a mandatory levy. When the Province has approved the overall budget and service plan for FACS, the presentation of the 20 per cent levy to the Region's Finance Committee is little more than a formality.

The overall approval of the budget is a provincial responsibility, conducted through the Hamilton office of the Ministry of Community and Social Services. Each year, the province requires the agency to prepare a very substantial 'service plan' which documents the agency's mandate, objectives, programs and resource needs. The plan also provides statistical summaries of previous agency activities and comparisons with other CASS in Ontario.

A consequence of this rather elaborate approval process is that FACS regards the service plan as the major mechanism for requesting funds, reporting its activities, and achieving accountability to funding agencies, notably the provincial government. For their part, regional councillors often argue that this accountability is not to elected officials but rather simply to another level of the civil service.

Except through its representatives on the Board, Regional Council does not play a significant role in the preparation of the budget until it comes before

*Association of Municipalities of Ontario, OMSSA and the Ontario Ministry of Community and Social Services. Provincial Municipal Social Services Review: A Discussion Paper.

the finance committee of council.

By the time FACS comes to the Region, it has invariably gone through a very long and painstaking process of identifying its priorities, formulating new programs, assigning resource estimates to its activities and seeking the Province's approval. The staff, several committees and the Board have all worked hard on the budget proposal and a sense of commitment develops which makes the prospects of further negotiation difficult since any compromise would seem almost a betrayal of the principles of the budget.

By the same token, the Region in its budget process has identified a ceiling which it feels is a realistic limit to the demands it can make on the property taxpayers of the Region. It sends out signals to agencies approaching it for funds that they must live within the resource limits.

By this time positions have hardened without there even having been a confrontation. Often FACS comes to the Region and makes demands that exceed the Region's limit since their main concern is to achieve provincial approval. The Region insists that the budget be sent back for review by the Board. The Board complies but finds no room for reduction and returns with the initial levy intact.

Although the Region has the right to appeal the levy to the Child Welfare Review Board (a statutory arbitration agency), the last attempt to do so in 1981 was unsuccessful. The process left some councillors and staff at the region with the impression that the review board is predisposed to accept the needs of the agency over the appeal of the Region for greater restraint. Since then, the Region considers its own review procedure and any prospect of outside scrutiny of the FACS programs and budget to be futile. It therefore no longer requires its Social Service Department - the logical 'in-house' arena for scrutiny of the FACS budget submission - to become involved in the review of the FACS levy.

The Role of Regional Councillors on the FACS Board

The process of budget review is played out every year and the differences between FACS and the region remain consistent and unrelenting. The frustrations mount and express themselves in various ways. The FACS people find fault with regional council members on their Board, claiming that they are preoccupied with expenditures and

fail to give adequate credit for programs and achievements. They also expect the councillors to take on more of an advocacy role for the FACS cause at the region, especially before the region's finance committee which FACS also perceives to be obsessed merely with costs to the exclusion of considering effective service delivery.

For their part the regional councillors are frustrated by their role. As a minority of the FACS Board they see their block votes on budget matters as fruitless attempts to influence the process. They can scarcely be advocates of FACS case at the Region when they feel left out of many of the Board's decisions and when they feel that their advice is rarely taken.

The level of participation has also been a problem. The many demands on the time of Regional Councillors prevent them from making the kind of time commitment that is made by many of the volunteer Board members. FACS must compete with regional committee work, Council and a host of public functions. Frankly, the FACS Board is not considered a terribly rewarding duty to the average Regional Councillor. And yet it should be pointed out that the concern and commitment of the Councillors on FACS Board have traditionally been high and, compared to some other areas of the province, the elected officials of FACS Niagara have a reasonably good attendance record.

The Accountability of FACS

The view of some of the regional councillors and senior staff is that there is no desire on the part of the FACS Board to be accountable to the Region. They believe that the scope of the volunteer board members is narrowed by their single purpose role and that they may have become captives of the agency view of the public interest rather than sensitive to the broader needs of the public as seen by the locally elected officials.

The FACS Board and senior staff perceive that they are accountable primarily to the Province and to provincial interests. The annual ritual to Regional finance committee is seen as little more than an anxious annoyance. From its point of view, the FACS Boards sees the Region as unsympathetic and parsimonious. In the face of persistent calls for expenditure reduction by regional council the FACS Board sees Niagara having one of the lowest per capita expenditures on child welfare in the province.

Proposals and Recommendations

Proposals originating from all sides argue for some parting of the ways and a clarification of roles. From the perspective of some at the agency, it would be much preferable to be fully funded by the Province with the only regional funding being service purchase or other cost recovery agreements. Although some senior staff at the Region complain about the virtual monopoly that FACS enjoys in the provision of service purchased family counselling and day nursery spaces, FACS has pioneered successfully in these areas when other public agencies failed to take the lead.

A viewpoint held by some regional councillors and senior staff is that FACS should simply be a department of the Region along side the Social Services and the Senior Citizens departments. A strong case can be made that this would enable the coordination of children's services much more closely with social services administered for other sectors of the regional population. Obviously many of the arguments made in the previous chapter are applicable in this specific case.

On the other side, FACS makes a strong case for independence, uniqueness of function and citizen involvement. It also has the reputation among social services observers as one of the most efficient and well-run agencies of its kind in the Province.

Another view that is offered is that the Region should only be expected to fund the core programs of FACS, that is the programs that are mandated by the legislation to be the basic level of child welfare and protection. Broadly speaking these include child protection, accommodation in group and foster homes, care and supervision, family and child counselling, and adoption. Under this suggestion other programs or enriched core programs would be paid for voluntarily by the Region through service purchase agreements or long term subsidy commitments or they would be exclusively paid for by the Province.

An example of how the province might become involved as exclusive funder of some programs is now available in the form of the toy lending library established as part of one of the agency's prevention program.

The suggestion to reduce the region's financial obligations to the funding of core programs has some

appeal. It calls for the Region to pay for what it would be required to provide if it offered the services through a line department. Furthermore, it removes the basis for the concern by some Regional Councillors that they are required to pay for some "Cadillac services". As one one councillor put it, "the province likes to go first class." Finally, it appeals to those who object to the use of locally collected property taxes for funding social services.

A third suggestion would also require provincial approval and that is to eliminate the requirement that the region appoint council members to the Board of FACS. Frankly the marriage has not succeeded, and it seems that there is no fault to be assigned except possibly to the structure in which the parties are asked to live. It would be too much to suggest that the region make no appointments, especially if it continues to have an interest as it surely should in the work of FACS and if it continues to fund a part of the core. Consequently it is proposed that it should be allowed to appoint a number of community representatives of its own choosing to the board rather than councillors.

Ironically FACS has enjoyed the service of some of Niagara's most conscientious councillors. Proposing that they be replaced by council-appointed community representatives is not a criticism of them, but rather a recognition that their role is untenable as currently defined. The main advantage of removing them would be to allow them the freedom to be advocates of child care at the Region without being perceived as captives of FACS. Equally they could be critical of FACS without fearing subtle reprisals from their colleagues on the FACS board who might feel betrayed. Also, community representatives appointed by Council may better fit the FACS Board role of private volunteer. They need not feel the same budget pressures the Regional Councillors do, but their participation can be reviewed from time to time by the Region. On the whole it might be the amount of distance that the FACS Board and the Region need to mitigate the frustrations that have developed.

As one observer has remarked, it would be a serious mistake to put a complete end to a tripartite partnership between the voluntary sector, the Province, and local government. It has worked well, producing a responsive, caring, professional and cost effective service. To put an end to it simply because the actors do not get along very well would be tragic to the group of people for whom the system was designed - kids.

The first two recommendations are made with the understanding that the authority to bring them about does not lie within the Region's powers nor within the structure of the Region as defined by the Regional Municipality of Niagara Act. Instead they are directed towards the Province with the hope that they might be advanced along with the views of others who are reviewing the delivery and accountability of social services at the local level, as proposals which would better serve the interest of improved relations between regional government in Niagara and FACS.

It is recommended that the province consider changing the financial relationship so that the region would only fund the core programs of the Family and Children's Services of Niagara and that this should be more in accordance with the region's general ability to pay. Regional funding for non-core programs should then be phased out and replaced by 100 per cent provincial funding.

Although it would create some accounting headaches for FACS, it could reduce the level of animosity and could also be a basis for achieving regional equity and bringing FACS Niagara's funding nearer to the provincial norm. FACS should continue to be the lead provider of family counselling and day nursery spaces on a purchase for service basis to the Region.

It is recommended that the Province replace the requirement that the Region appoint four regional councillors with a requirement that four representatives be chosen who may be either councillors or unelected citizens of the Region.

In the case of the Region and FACS there are no clear structural changes that can be made to solve the difficulties encountered by them as they try to fulfill their roles in the partnership over family and children's services. Consequently the following are suggestions made for the consideration of both the Region and FACS.

For its part the Region could improve its role in the partnership in children's services by being more concerned with policies, services and achievement of FACS rather than merely with its spending. A constant complaint heard from FACS as well as other agencies that have financial relations with the Region is that Regional Council and especially its Finance Committee can be single-minded in its review of agency activities,

focussing merely on expenditures often to the exclusion of other matters. This is believed to be the result of the fact that the agencies only meet the region once a year at the Finance Committee where the main theme is understandably finance.

It is recommended that the Region reinstate the practice of reviewing the activities of agencies with which it has financial ties and common interests within the appropriate committees. In the case of FACS this would be the Social Service Committee. A practice should be inaugurated of making more frequent contact with FACS, especially during the budget formulation process. Opportunities should be made to review progress and to discuss new priorities and budgetary proposals.

In return for a reduced burden on the regional budget, the Region could be expected to become a substantive and constructive contributor to the direction of social policy and development.

For its part FACS could improve its role in the partnership by first recognizing the legitimate role of municipal governments as participants in the formulation and delivery of local children's services, and the legitimacy of the view that the FACS Board is accountable not only to the Province and to provincial interests but also to the Region and the people who are represented there.

It must be remembered that a failure to recognize the importance of local support may result in a major reform of the system along the lines of greater integration into Regional government. This would be unfortunate, since several participants observed that this tri-partite partnership of local volunteers, provincial interests and municipal representatives had produced an extremely effective system in comparison with those in jurisdictions where other models are used. The system performs well despite the inherent difficulties associated with an extremely sensitive area of social policy.

To assist in achieving these suggestions, and in line with the suggestions to improve liaison, reporting, and accountability, the following is proposed:

It is recommended that Regional Council and the FACS Board begin developing a common set of measures for assessing the effectiveness of

existing programs and services and a set of objectives for developing new programs.

The former is proposed to improve accountability. However, rather than dwelling on inputs, a greater effort could be made to compare costs with service outputs. Establishing objectives for new programs and future directions could give the Region the opportunity to make its priorities known to its partners and provide assurances that future expenditures are driven by program needs and agreed upon goals.

Children's Services Committee (CSC)

The Children's Services Committee in Niagara was established by an agreement signed in March of 1979 between the Province of Ontario and the Regional Municipality of Niagara. It reflected the initiative of a number of local activists and professionals concerned with the way in which services designed for children were being planned and administered. The CSCs in Niagara and other regions and counties were created as part of a provincial policy whose intent at the outset was rather bold. The CSC was to be a regionally organized committee which would become the lead agency for co-ordinating the delivery of services for children within regions like Niagara.

The planned evolution of the CSC included three phases which consisted of an initial research and information gathering phase, a planning phase which would include exercises in budget review and priority setting, and a third phase in which the CSC would determine responsibility for children's services and recommend the allocation of provincial and local funds to the agencies involved in services and programs. The CSC would not itself be involved in program delivery except in its roles of research, planning and allocating.

The initial budget of the CSC was modest, amounting to just under \$130,000. This provided for staff consisting of a Director, part-time researchers, project co-ordinators and clerical staff, and a small complement of equipment and supplies. The Region was responsible for paying 25 percent of this amount and the Province paid the remainder.

The Committee consists of twelve unpaid volunteer members, comprising four regional councillors appointed by the Region (one of whom becomes chairman), six representatives of service providing agencies and two community or consumer representatives. This combination of elected officials, service providers and consumers was an innovation in the design of the Committee which proved to be a strong point in its later history. It continues to be referred to by observers as a useful experiment worth further application. The Committee further organized several committees to undertake more specialized functions, including, for instance, a research committee which combined the efforts of experts, academics and consumers.

In terms of its accountability, the contract

stipulated that the committee "will be accountable to the Council of the Regional Municipality of Niagara, through its Social Services Committee, and will submit monthly written reports to the Region covering all activities performed by the Committee." There was also a requirement for quarterly reports to the Province, and a promise to keep the Province equally apprised of its activities. This reflected a joint accountability similar to some of the other agencies under consideration.

In its early years, and in fact for much of its history, the Committee enjoyed very supportive leadership from its council members. The first chairman was a strong defender and advocate of the Committee's work. This trait was shared by other regional representatives on the CSC and extends to those currently in place. Regrettably, interest in the Committee on the part of other councillors has waned. Only a small number of them have indicated an interest in sitting on the Committee over the years. The rest of Council has been content to let the Committee do its work quietly. In fact, in the eyes of many on Council, it became somewhat esoteric and specialized. This image and the veil of benign ignorance about the work of the CSC were at first an advantage since it gave the Committee the freedom to innovate and advocate. However, in more recent times, the Committee has only been marginally successful at keeping the rest of council apprised of its accomplishments.

In the early 1980s a major change took place in Provincial policy on social services, including children's services. The approach of delegating planning and allocation decisions to regionally organized committees was replaced by a more conventional model in which the Ministry of Community and Social Services was decentralized out of Toronto to the regions.

This in turn, had major implications for the CSCs that had been established throughout the Province. The extensive powers that were promised to CSCs never materialized. New contracts were written in which the name Children's Services Committee was changed to Children's Services Co-ordinating and Advisory Groups. This reflected its much reduced status and its new, very much more limited mandate. In the particular case of Niagara, the agency retains the name Children's Services Committee.

The revised mandate of the CSC as contained in the 1983 contract is a much watered-down version of the previous list of powers. A critical reading of the new job description boils down to research, advocacy, co-

ordination, and the promotion of consumer involvement and linkages between service providers. Gone are phrases like responsibility for "planning", "priority setting", and "allocation decisions". It was clear that the CSC was not to go beyond phase one and possibly phase two of its original mandate.

Gone, too, was the guarantee that either the province or the Region would provide long term funding. The Committee enjoyed free occupancy in the new Regional headquarters and a grant amounting to about \$50,000 which was approved from year-to-year though not always spent. This was added to a Provincial contribution of about \$115,000. By 1988 this had increased to \$58,153 and \$186,106 respectively, reflecting an understood breakdown of roughly 25 per cent from the region to 75 percent from the province.

By all accounts, the Niagara Children's Services Committee has been a reasonably successful application of the provincial policy of co-ordinating children's services locally considering the abrupt withdrawal of provincial support. Overall, the success of the experiment has been uneven at best. Observers of the process report that in some other regions, CSCs were dismantled soon after the provincial policy change leaving only a few survivors. By contrast the Niagara CSC has survived because of local political support, the long term commitment of its council participants, and the sheer intellectual strength and dedication of its executive director and staff. This view was expressed by many observers including those would not ordinarily be identified as CSC supporters.

Nevertheless the Children's Services Committee, of all those under consideration, requires most urgent action. Its relationship with Regional Council and some of the other departments has deteriorated to the point where little can be done under the current structure to salvage it.

The problems identified with the CSC have their roots in a basic lack of interest in, and thus a lack of understanding of, the activities of the CSC and its staff. Over the years this could be overlooked until fears grew that the province was going to "off-load" yet another of its programs onto the shoulders of the municipality without providing adequate funds. Other critics have argued the seemingly narrow legalistic point that although the Region may be responsible for social services, the Regional Municipality of Niagara Act does not provide for the specific mandate to deal

with children's services.

CSC critics argue that the Committee may have been a good idea that has gone sour. And, because the province abandoned it in the early 1980s, its continued presence cannot be justified. In addition there are questions as to whether the CSC has a corporate life at all.

For some the problem with the CSC is that it appears to be going off in its own direction disregarding normal regional practices such as pay rates. The higher salaries for CSC staff in comparison with the Regional staff is a constant source of irritation that surfaces regularly at budget time. This is also used as evidence of what some consider to be less rigorous administrative practices on the part of the CSC resulting from a lack of integration with the Region and its accountability mechanisms. This last concern, along with differences in professional viewpoints and philosophies have resulted in a lack of support for the CSC by the leadership of related regional departments, especially the Social Services department.

There are complaints that reports to Social Services Committee have been sporadic and that Council has not been kept informed of the CSC's activities. Until these criticism became known, the CSC assumed that it was enjoying Council's support and had apparently not done the necessary public and council relations work needed to keep supporters informed and supportive.

The Committee seems to have found the most appropriate solution to the malaise that has developed. It proposes to become a fully independent, incorporated board outside of the region but retaining ties to it. Under the emerging plan it would continue to contract with the Province for annual operating funds, remain in a position to offer some purchase of service activities and seek an annual grant from the Region roughly in line with what it has been receiving in the past. It would relocate and use some of its regional funding to pay for accommodation, an expense it has not had in recent years.

It is not clear exactly how the model will unfold, whether it will resemble a social planning council arrangement stressing community-based research and independent advocacy, or adopt a structure like the district health councils, emphasising system-based research and co-ordination of agency advice to the Province. In either event, the proposal to leave has sa-

tisfied a number of moderate councillors' concerns and a truce has been put in place while the details are worked out.

There are a few who would prefer to see the Committee integrated into the social service function of the Region in line with the views expressed in the previous chapter. It does not appear that this would be useful. CSC staff make a case for the ability to be an advocate for the needs of children independently of political control. Integration into the bureaucracy would, in their minds be tantamount to the demise of the Committee as an effective representative of children.

In light of the seeming inevitability of the outcome, the following proposal is made:

It is recommended that every effort be made for a successful transition of Children's Services Committee from its current position in the Region to that of an independently incorporated agency operated by a board consisting of municipal (regional) representatives, representatives of service providing agencies, and representatives of consumer and community groups.

The Niagara Peninsula Conservation Authority (NPCA)

NPCA Function and Structure

The NPCA was established in 1959. It is one of 39 conservation authorities created by the province after 1946 under the Conservation Authorities Act. This act provides for the establishment and funding of locally organized authorities with the general mandate of conserving water and water-related resources within a watershed.

Because the jurisdiction of the authority is defined hydrologically, its boundaries bear no relationship to those of the municipalities in which it is located. In Niagara, for instance, the jurisdiction of the NPCA extends beyond the boundaries of the Niagara Region into Haldimand-Norfolk and Hamilton-Wentworth regions. Nevertheless, roughly 93 percent of the area covered by the NPCA is in Niagara, making it one of the authorities whose boundaries most closely resemble those of its largest regional municipality. The effect of this is to make the Niagara Region a very large source of funds to the NPCA and to give the region a dominant role in the governance of the Authority.

The NPCA is governed by a board (called the "Authority" or the "Full Authority") consisting of 22 members. Two of these are chosen by the Province of Ontario; three come from Ancaster, Stoney Creek and Glanbrook in the Hamilton-Wentworth Region; one each from Dunnville and Haldimand in the the Region of Haldimand-Norfolk; and the remaining 15 are chosen, at least nominally, by Niagara Regional Council.

The choice of Niagara's members to the Authority is based on a practice in which the local municipalities are invited to propose names of appointees to the Region. Each local municipality has at least one representative and because of their much larger size, Niagara Falls and St. Catharines have two and three members respectively. Appointments originate at the local municipal level and whatever is decided there is transmitted to the Region usually by the Mayor who is a member of Regional Council. The municipalities do not submit short lists of 'possible' candidates, but rather the list of people whom they want to see, or more accurately expect to see, appointed to the Authority. Only once in the history of the Region has a Mayor's appointment been turned aside. In effect, the Regional Council merely "rubber stamps" the choice of the local councils.

This practice harkens back to a time before the Region when municipalities had the power to make such appointments as part of the "grass roots" philosophy of local watershed conservation. It also gave the local level of government some say in the plans of the Authority, especially capital works and popular recreational programs that were useful to point to at election time. And finally, it was an accountability mechanism by which local governments could oversee the expenditure of money levied from them.

Although the Act now clearly gives the right of appointment to the Region, the local allocation of representatives has been explicitly retained in the organization of the Authority and many of the local councils and most of the Mayors guard this power jealously. Most Regional Councillors see no apparent problems with it and of those who do, few dare to question it.

There can be no question that the system achieves local rather than regional representation and accountability. The municipal members of the Authority see themselves invariably as representing the local municipality and the local council. For some, this means that they scarcely feel the need to take notice of Authority activities beyond their municipality; their concern is to ensure that an appropriate amount is spent in their town or city. This is the kind of parochialism that regional reorganization was supposed to overcome. Yet, in the case of the Conservation Authority, it remains an important part of the structure.

The NPCA Budget

The NPCA will make gross expenditures in 1988 of about \$3.05 million for all its operating and capital programs. It derives its revenue from three main sources. It receives provincial government grants - almost all of which is from the Ministry of Natural Resources - amounting in 1988 to nearly \$1.3 million or slightly more than 42 per cent of its budget. It applies a levy against the municipalities in which it is located amounting to nearly \$1.3 million of which Niagara Region pays \$887,917. A considerable amount of the total municipal contribution takes the form of special levies for capital projects requested by the area municipalities. The total municipal contribution to the NPCA therefore amounts to just slightly more than 41 percent maintaining the rough formula of matching provincial/municipal funding.

Niagara's total contribution to the NPCA amounts to about 29 percent of the Authority's gross expenditures. The remaining 17 percent of revenue comes from sources such as user fees and other recovery charges.

Budgetary Accountability

Like Family and Children's Services, the Conservation Authority applies a levy against the Region which it must pay. Unlike FACS there is no avenue for appeal of the total amount, only the apportionment among local governments can be appealed. The Region must simply pay its part of the formula. In practice, of course, the Region can exert considerable pressure on the Authority to remain within certain preferred spending constraints and it can raise public alarm and gain support in the community for reductions in the Authority's budget by complaining loudly at the regional finance committee when the Authority presents its budget. All of these strategies are useful in maintaining some degree of financial accountability.

The problem is that, strictly speaking at least, the proper mechanism for maintaining influence over the budget is through the choice of regional representatives. The Region appoints a considerable majority of the members of the board - nearly 70 percent - far in excess of its financial contribution. It could maintain financial accountability through its appointees. However, the simple fact is that Council does not exercise its power in this respect. As one Regional Councillor put it, "the Region takes the heat at budget time, but the local council has the real power to appoint the budget makers." There is a very basic misalignment in the accountability regime. The fact that Regional Council acquiesces in this arrangement does not necessarily make it acceptable.

One could perhaps argue that there exists the threat of removal of members from the Authority. Such a threat has never been made or carried out despite many controversial issues, including some very controversial budgets.

The effect that the current system has is to make the budget making process much more adversarial than it need be. Because Regional Council reneges in its duty to make the appointments to the Authority, the Region effectively forfeits the possibility of making its views on priorities and spending constraints known in the midst of the budget formulation process and invites

discord later in the finance committee. As in the case of FACS, the NPCA budget is hammered out independently of the Region and invariably becomes a problem if it exceeds the Region's planned budget ceiling. Unlike the situation with FACS, however, the Region should not be in a position to complain, since it had the opportunity to be more involved and in fact maintains majority control of the Authority - control that it fails to exercise effectively.

In other regions the power to appoint members to the conservation authority is taken much more seriously and is certainly not a simple rubber stamp of the mayors' proposals from their local councils. Some accept suggestions and short lists from their constituent municipalities, but because they are effectively choosing budget-makers - this is certainly the effect of a non-appealable levy - they choose people who are expected to answer to the region.

NPCA and Regional Council

There are other problems that exist in respect to the NPCA, only some of which are relevant to their relationship with the Niagara Region. Some are based on substantive issues such as shoreline protection and flood plain control. The flood plain issue turned many property owners into activists as they perceived their property rights to be threatened and, in some cases, the value of their property eroded. At its height, there were many who suddenly recognized the power held by an appointed body and raised the issue of its accountability without getting a satisfactory answer. These issues have since been deflected or remain the subject of ongoing resolution.

There is also the more general concern felt by many observers that the mandates of conservation authorities and their operating practices have become very unclear, creating impossible expectations and making accountability difficult. Even in the course of this review a wide range of roles was described for the local authority ranging from recreational management to tree planting and soil conservation to flood management and engineering.

In fact, their mandate has evolved drastically over time. Because of the high degree of local autonomy, there has been wide variation in the priorities and program emphases adopted by local authorities. Special program funding, specific powers, and the ability to opt out of province-wide programs have all resulted in a

patchwork pattern throughout the province and a generally unsatisfactory overall image for the conservation authority program in the province. These concerns have become the subject of a program review recently released by the Provincial Ministry of Natural Resources.*

All this must be considered in combination with internal administrative problems that have plagued the recent history of the NPCA. It is fair to say that these have been, or are in the process of being, resolved by a remodelled management team and a slimmed-down Authority and committee structure. The Authority recently reduced its size from 34 members to 22. It meets more regularly as a full Authority and relies much less on its small executive committee for general policy and direction.

It is also fair to say that some of the malaise is attributable to the transition to a modern ethos of conservation and recreation which is quite different from the one on which the authority was originally founded.

Proposals and Recommendations

The Authority is currently feeling all these pressures and the consequence is a slow and painstaking recovery of its staff morale, its stature and its effectiveness as an organization. It is, however, making progress on all these fronts. To the extent that it sees problems with the Region it identifies them as being related to a lack of political commitment to, and recognition of, the work of the Authority. This is reminiscent of some of the concerns raised by people associated with FACS. The Authority works with a per capita levy which is near the lower end of the provincial scale, about one-half of the amount available to the neighbouring Hamilton Conservation Authority and one-third of the levy available to its other neighbour, the Grand River Conservation Authority.

There is the belief that Regional Councillors should become more involved participants in the Authority in order to give it a higher political profile and more priority. However, the FACS example described above does not provide any practical encouragement for this view. Frankly, as long as regional councillors are part-

*Ontario Ministry of Natural Resources. A Review of the Conservation Authorities Program. R. Burger (Chairman), 1988.

time, it is doubtful that increased involvement by elected regional councillors in special purpose activities can be expected to be a real possibility.

Another possibility is to integrate the NPCA into the regional structure as a regional resource and conservation department. This has many compelling aspects to it since the NPCA, although a specialized body with a jurisdiction different from the Region, could be made to fit nicely within Niagara's area. Arrangements could be made with adjacent authorities to manage those pieces of the NPCA's area in Haldimand-Norfolk and Hamilton-Wentworth and to co-ordinate their management with Niagara's.

Proponents of this view would argue that the Region could just as easily undertake the resource planning and management functions, parks and recreation functions and special functions for flood control and shoreline protection. NPCA functions are, in fact, closely related to the Region's planning, public works and emergency measures powers. A high degree of co-ordination now takes place between the staffs of the NPCA and the Region. With a transfer of Conservation Authority power to the Region and some of the funding from the Ministry of Natural Resources, the region (at least in Niagara) could become an effective municipal conservation authority.

From the Authority's point of view there could be advantages as well. The integration with the region could reduce the tensions that exist at budget time and bring greater involvement and commitment to conservation from elected officials. The expertise and "grass roots" participation of local citizens involved in conservancy could be continued through advisory committees.

Despite the many possible benefits and the interesting prospect of a possible local government innovation, the single greatest impediment appears to lie with the Province. The Ministry of Natural Resources is on record supporting the current arrangement and affirming the present position of the NPCA and other conservation authorities as special purpose bodies. It is especially interested in maintaining the principle of watershed boundaries for watershed management. Clearly there are fears that some of the influence exercised by interest groups who are represented on the authority could be lost if the Region took over local water and water-related resource conservation.

In light of all this, the following proposals are made:

It is recommended that the Region provide a more sympathetic port-of-call to officials at the NPCA - such as a subcommittee of public works or planning - which would review more than the expenditures of the Authority and which would concern itself instead with the programs and accomplishments of the agency.

Authority officials are eager to point out that circumstances surrounding the submission of the budget estimates have improved considerably in recent years as a result of good staff working relations. However, like FACS, the NPCA does not look forward to the budget submission to the Region.

It is recommended that a reporting procedure involving more frequent and more involved interaction would be helpful, especially in regard to budget approval process.

The Region should request quarterly reports on recent progress and proposed plans. Expenditure increases should be reviewed to ensure that they are program driven and that they achieve agreed upon aims above and beyond the basic mandatory requirements of the Act. Better measures should be developed to identify and assess expenditure effectiveness and efficiency. These in turn should be incorporated into the reporting process.

It is recommended that Regional Council take its appointment responsibility much more seriously. As long as the NPCA appointments amount to the selection of budget-makers who will have a effect on regional expenditures, the choice of who the budget-makers are cannot be forfeited to the local municipalities.

If the possibility of a more fundamental change becomes possible due to a major policy change in the Ministry of Natural Resources conservation authorities program, a second type of recommendation is offered:

It is recommended that the province (MNR) consider the possibility of transferring conservation authority powers to Regional Council in Niagara on an experimental basis. Regional Council would then be called upon to create a

Resource Conservation Department which would carry out the conservation authority mandate.

This integration could follow an existing department and committee structure (for example the recently integrated Health Services Department) or it could be based on something more novel such as a body combining regional councillors with interest group representatives, experts and lay citizens sitting as an advisory board to Regional Council. This would enable many of the existing members of the authority as well as traditional interest groups to continue to be represented in discussions of, and to serve the interests of, conservation in the Region.

Funding relationships could be expected to remain the same and staff could be transferred in roughly the same manner as past amalgamations. However, arrangements would have to be made for the co-ordination and management of the small areas of the current NPCA watershed located in other regions. Arrangements could be made with neighbouring conservation authorities to deal with these.

The Niagara Escarpment Commission (NEC)

The Niagara Escarpment Commission is one of the special purpose bodies that was established after regional government in Niagara, but its history corresponds roughly with that of the Region. The Niagara Escarpment Task Force was established in the 1960s to look into the problem of protecting the escarpment as a unique natural feature of the provincial environment and to make recommendations for its preservation in light of pronounced pressures for its development.

The report of the Task Force identified the many important aspects of the escarpment and proposed that a strong planning effort be mounted to preserve it as a continuous environment. It also discovered that very little planning - almost no environmental or conservation planning - was being conducted by municipalities along the escarpment. Despite its proximity to the industrial heartland of Ontario and the development pressures that could be expected to emanate from the adjacent urban complex, little was being done to protect the escarpment from incompatible uses.

In its report, the Task Force recommended the establishment of a provincial secretariat - a kind of special cabinet bureau - to prepare a plan for the entire length of the escarpment and to ensure municipal involvement in its formulation and execution, as well as municipal compliance with its principles. The mechanisms for the implementation of the plan were to be development control (instead of zoning) and a selective program of land acquisition and park development.

In 1973 the Province of Ontario passed the Niagara Escarpment Planning and Development Act creating the Niagara Escarpment Commission. The purpose of the Act and the Commission is "to provide for the maintenance of the Niagara Escarpment and the land in its vicinity substantially as a continuous natural environment and to ensure only such development as is compatible with that natural environment." (NEDP Act, Section 2)

In the period immediately after its creation the Commission had two immediate tasks. The first was to begin a 'holding action' on the escarpment lands in order to slow development and the second was to prepare a plan that would eventually be the provincially approved instrument for the long term protection and preservation of the escarpment.

The Commission undertook the preparation of a plan with the assistance of two advisory committees consisting of interest groups and municipalities respectively. It produced a plan in 1977 which was almost immediately rejected. A new plan was prepared in 1979 and after several years of review and hearings, was given to the Minister in 1983. The Minister considered additional input before presenting the plan to cabinet. The Niagara Escarpment Plan was finally approved and released in June of 1985.

The Niagara Escarpment Commission consists of 17 members, all of whom are appointed by provincial order-in-council. The chairman is chosen as chair by the Province. Eight of the members represent the counties and regions through which the escarpment lands pass. Niagara is of course one of these and recommends one of its council members to represent the Region at the Commission as do most of the others.* The remaining eight members represent the public-at-large. They are not chosen as representatives of any particular area, but it is fair to say that after matters of the candidate's competence and interest are satisfied, some consideration is given broadly to the geographical distribution of the public-at-large members.

The Commission has no financial relations with Niagara or any of the other regions or counties. Its resources are completely derived from provincial funds. Furthermore it clearly does not have an accountability relationship with the Region. The Commission sees itself as accountable to the Province for the protection of a provincial resource. The participation of regional or county representatives is to provide an information flow and liaison function and to provide a sense of "ownership" of the plan by the councils that govern parts of the area of the escarpment.

The Commission jealously guards its independence although it is frequently called upon to compromise it. It recognizes the controversial nature of its actions and sees this as a legitimate part of its role in defending the escarpment lands. It recognizes that local officials are frequently under great pressure to approve development on the escarpment and it sees its role

*The Act does not require that the local representative be a council member. It does require that the region or county provide a short list of at least three proposed candidates from which the province makes its choice.

occasionally as taking some of the pressure off the backs of the local municipalities for escarpment controls. This does not always make the Commission popular, but it does serve a useful purpose in deflecting some of the controversy away from the local level.

Its relationship with the regions and counties is based entirely upon a sharing of responsibility for plan preparation and for land use control and regulation. In the case of planning, some potential problems have been solved by an extraordinarily good working relationship between the staff of the Commission and the Planning Department of Niagara Region. The co-operation has been very fruitful both for the Region and for the Commission.

Any further potential for conflict in respect to land use control is partly deflected by the provision in the Act that, where the Escarpment Plan and regional plans conflict, the Escarpment Plan simply takes precedence. The complication is that although apparent conflicts exist, the Minister has "deemed" them to be in conformance. Unfortunately this has not solved the problem and many regional staff and politicians remain confused about which plan takes precedence.

The only remaining area for structural tensions revolves around the possible delegation of the development control powers from the Commission to the Region. This will doubtless be the subject of the study on the Region's planning process and the question of whether the delegation will result in a better plan or planning process is therefore left to that study. Nevertheless, there are possible implications for accountability and the integrity of the Commission-Region relationship that warrant comment within the terms of reference of this study.

Unlike most of the organizations under consideration, the NEC does not really have an accountability function to the local region. It can be argued, as it was pointed out in Chapter Two, that the NEC protects an interest which is much greater than any regional interest; it protects a provincial feature, a provincial resource.

The principle of delegation, by contrast, is based on the idea that local authorities should be responsible for local matters within their jurisdiction. However, the escarpment transcends local concerns and thus is rightly in the exclusive realm of a more central authority. It is appropriate for the regions to

be involved in the preparation of the plan and that they play some role in its implementation. However, this should not necessarily extend to a total decentralization of the Commission powers.

It may be argued that the responsibility for plan formulation and amendment could be kept by the Commission while the power to execute the plan could be delegated to the regions. The separation between making plans and carrying them out is not so neatly done in an area as complex as broad regional resource planning.

As it stands, the province has offered the delegation of development control powers to Niagara Region. The Region has not accepted the additional responsibility since it was not accompanied by an offer of money to offset the additional costs which the transfer would occasion.

No recommendations can therefore be made in light of the terms of reference for this study except to say that no apparent gains would be made from the process of delegation which would have the effect of improving relations or legitimate accountability.

The Niagara Parks Commission (NPC)

The Niagara Parks Commission is the oldest of the special purpose bodies being studied. Established over 100 years ago under the The Niagara Falls Park Act, the Commission has a long and illustrious history of park-land acquisition, development, and maintenance. As the host to a multitude of visitors, it began with early policy "to provide an opportunity for Park visitors to view the Falls, the gorge and the river, under the most pleasant conditions and circumstances possible."

The 'Park' in this early quotation was the original acquisition of the Commission - Queen Victoria Park adjacent to the Falls - a 62 ha parcel that formed the basis from which the Commission's holdings grew to their present total of 1130 ha. The Commission now sees its role as more than just land owner and gardener to the multitudes, but also as host, planner, educator and as a vital element in the tourism industry of Niagara and Ontario.

The Commission members are chosen by the Ontario cabinet. Each of the local municipalities located along the Niagara River - Fort Erie, Niagara Falls and Niagara-on-the-Lake - are entitled to propose a member of their councils to represent them. This duty has traditionally been given to the mayors (in the case of Niagara-On-The-Lake, this is the Lord Mayor). Because they are mayors they also act as Regional Councillors. However, they do not see their job on the Commission as related to the Region in any way. They are there on behalf of their local council.

Niagara Region is entitled to choose one of its councillors and usually sends a representative of one of the communities along the Parkway. The size of the Commission can vary between 10 and twelve leaving an additional six to eight members to be chosen at large.

The characteristic of the NPC that sets it apart from other special purpose bodies is its source of revenue and its financial position. It derives the lion's share of its income, which in 1987 amounted to over \$17.6 million, from water rentals and profit from its many gift shops, restaurants, and attractions.

Water rentals refers to the fact that hydro-electric power is produced using water from the Niagara River which is diverted over Commission lands. As holders of riparian rights to the water, the Commission

has been in a position to claim some compensation for the water used when, in 1921, the first Hydro-Electric Power Commission generators went into production. In 1928 a settlement was reached that paid approximately \$540,000 annually. Water rentals amounted to about \$3.7 million in 1987. In addition to this the Commission's other commercial activities alone netted over \$11.6 million.

By contrast the Commission's expenses in 1987 were a little over \$11 million leaving a net income or profit for the agency of over \$5.7 million. Similar figures for 1986 and 1985 were roughly \$4.9 million and \$3.6 million respectively. The total amount of equity that has been accumulated over the years for capital improvements stands at more than \$60 million. This has been high in recent years as some capital expenditures are being withheld pending the completion of the Commission's long range plan.

The long tradition of the Commission, its almost completely uncontroversial financial situation, and its public image of excellence as keeper of the grounds mean that the Commission is rarely the subject of controversy and infrequently an item of concern to Regional Council. There are almost no official relations between the Commission and Regional Council. Appointments to the Commission are usually seen as one of the more cheerful duties of elected life.

Any minor problems that arise - and a few have - are dealt with quietly. For instance, attempts by the Commission to gain greater control of transportation routes near its Falls land holdings have resulted in the immanent creation of a committee of municipal, regional, provincial and commission representatives who can be expected to work out an agreement behind closed doors.

Similarly, disagreements about new developments near the Falls and the effects which they might have on the public view of the Falls cause some irritation, but the magnitude of these issues pale in comparison to other more controversial agencies with which the Region has relations.

In summary, the NPC has a very clear mandate which, almost every observer admits, it seems to fulfill very well without any further need for accountability or local involvement. It sees itself as accountable to the people of Ontario and acts in their place as host to millions each year. It makes no demands on the public purse or its patience. It is an almost ideal special

purpose body and its relations with the Region warrant
no recommendations from this quarter.

Persons Interviewed

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